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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GMA ACCESSORIES, INC.

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Plaintiff,

-against-

EMINENT, INC., SAKS FIFTH AVENUE, INC.,  
INTERMIX, INC., WINK NYC, INC.,  
LISA KLINE, INC., GIRLSHOP. INC.,  
SHOWROOM SEVEN STUDIOS, INC.,  
JONATHAN SINGER, LEWIS TIERNEY and  
JONATHAN SOLNICKI,

Civil Action No.  
07 CV 3219 (LTS)

**AMENDED DISCLOSURES  
PURSUANT TO RULE (26)(a)  
FOR RETAILER DEFENDANTS**

Defendants.

x

Defendants Saks Fifth Avenue, Inc. ("Saks"), Intermix, Inc. ("Intermix"), Wink NYC, Inc. ("Wink"), Lisa Kline, Inc. ("Kline"), Jonathan Singer and Lewis Tierney (collectively, the "Retailer Defendants") hereby provide the following amended initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. To the extent not amended herein, the prior initial disclosures remain in full force and effect.

**B. CATEGORIES OF DOCUMENTS**

1. The following list identifies those documents in the possession, custody or control of the Retailer Defendants that one or more of the Retailer Defendants may use to support their claims and defenses; all such documents have been produced by the Retailer Defendants and Charlotte B, LLC: Sales reports, shipping records, purchase orders, invoices, advertisements,

catalogs, websites, advertising request forms, ledgers, spreadsheets, all relating to Charlotte Solnicki branded merchandise.

2. In addition, the Retailer Defendants may use the following documents to support their claims and defenses, all of which have been produced by Plaintiff: Cease & desist letters from Plaintiff to the Retailer Defendants; file wrappers for the trademarks upon which Plaintiff has sued; and sales invoices and related documents for sales by Plaintiff of Charlotte branded products.

3. Finally, the Retailer Defendants may use the product pages of the [www.capellinewyork.com](http://www.capellinewyork.com) website to support their claims and defenses.

#### **C. COMPUTATION OF DAMAGES**

The Retailers Defendants' damages are equal to the attorneys' fees they have expended and will expend to defend this action, as well as lost profits on the sale of Charlotte Solnicki branded merchandise for those Retailer Defendants that discontinued the line as a result of this action. The computation of the foregoing has not yet been concluded.

Dated: March 31, 2008  
New York, New York

DREIER LLP

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